

September 16, 2003

Kathy Haluschak, Contracting Officer
Division of Contracting and General Services
U.S. Fish & Wildlife Service
911 NE 11th Avenue
Portland OR 97232-4181

SUBJECT: EA & Permits for La BARRANCA Unit, Sacramento River National Wildlife Refuge,
Tehama County, California (Request for Quotation No. 101813Q111, Revised
September 16, 2003)

Dear Ms. Haluschak:

North State Resources, Inc. (NSR) is pleased to submit this revised proposal to provide the U.S. Fish & Wildlife Service (USFWS) with the environmental and engineering services requested in the referenced project. The revisions to this proposal are based on conversations between USFWS and NSR staff that resulted in clarification and minor revisions to the original solicitation.

INTRODUCTION

This proposal describes NSR's capability to provide the USFWS with an Environmental Assessment (EA) in compliance with the National Environmental Policy Act (NEPA) and the documentation necessary to acquire the permits to conduct physical and biological restoration activities on the La BARRANCA Unit of the Sacramento River National Wildlife Refuge (Refuge) in Tehama County, California.

PROPOSAL OVERVIEW

This proposal provides the USFWS with a summary of our qualifications and experience with an emphasis on projects with technical and geographic similarities to the La BARRANCA Restoration Project. Our understanding of the project is based on conversations with USFWS staff, comprehensive understanding of the Anadromous Fish Restoration Program, knowledge of water resource management projects throughout the Central Valley, and our direct project experience with restoration projects in the Sacramento River Basin.

NSR's approach incorporates our knowledge of ecological processes combined with our understanding of the environmental documentation necessary to implement a restoration project at this scale. Our project team includes firms with expertise in identifying, developing, and implementing riverine restoration projects. The project team is experienced in all facets of riverine and riparian restoration activities.

NSR has assembled a team capable of conducting the tasks outlined in the Statement of Work (SOW) described in the Request for Quotation (RFQ) issued July 28, 2003, by the USFWS. The NSR project team includes senior staff provided by River Partners, and Graham Matthews & Associates (GMA). This project team has the ability to apply analytical rigor and real-world applicability in a manner that results in resource-based solutions. Members of our team have worked together on similar restoration projects including the Lower Clear Creek Restoration Project, the Saeltzer Dam Fish Passage and Flow Protection Project, Trinity River Mechanical Channel Rehabilitation Project, and the Floodplain Restoration Feasibility Study for the La BARRanca Unit (Study). The project team has experience integrating ecological concepts with engineering applications in a manner that facilitates the NEPA process and other regulatory requirements.

PROJECT BACKGROUND

The entire Refuge encompasses 702 acres on the west bank of the Sacramento River, between river miles 237.5 and 239.5. The environmental study limits (ESL) described in the feasibility study encompass approximately 305 acres. Subsequent discussions with Refuge staff have resulted in expanding the ESL for the Project to include the entire western side of the Refuge. This revised proposal includes approximately 500 acres of orchard land that will be addressed in the Scope of Work. The Refuge is located in Tehama County, approximately 5 miles southeast of Red Bluff California, and 5 miles northeast of Gerber California. The Refuge is associated with a historic meander belt of the Sacramento River, and was subject to frequent inundation prior to regulation by upstream impoundments. Currently, flood flows access portions of the Refuge in association with existing flood drainage features and during periods of over bank flow.

Areas of the Refuge were used for a variety of agricultural purposes, including grazing (sheep and cattle) and nut orchards, although topographic modifications were limited to the levee and associated access roads. Mineral extraction activities have occurred throughout the refuge and are a focal point for restoration efforts. The segment of the Sacramento River included in the Refuge provides a unique combination of wetland, savannah, and forest plant species that support a broad range of aquatic and terrestrial fish and wildlife species.

In June 2002, our teaming partner, River Partners, completed a feasibility study (Phase I) for the USFWS that identified floodplain restoration alternatives on the La BARRanca Unit, Sacramento River Wildlife Refuge (Refuge). Phase II encompasses the investigations and studies necessary to fulfill NEPA requirements. The USFWS must complete documentation for environmental impacts associated with agency actions pursuant to NEPA requirements.

Notable findings of the feasibility study include:

- Gravel extraction pits associated with past construction projects are flooded by the high flows in the Sacramento River on a routine basis (2-4 year return interval). The gravel pits pose a threat to aquatic species, including salmonids, through entrapment and stranding.
- Invasive non-native plant species threaten the biologic integrity of the site and have the potential to inhibit restoration efforts.

- A levee constructed by private parties in the 1960s serves to pond water and inhibit drainage during the frequent high flow events, thereby increasing the likelihood of entrapment of salmonids.

The feasibility study recommended three thematic restoration elements for further consideration and evaluation. These elements are topographic restoration to prevent fish entrapment, flood plain reconnection, and vegetation management. These restoration elements will be used to focus the NEPA process and ensure compliance with necessary permitting requirements outlined in the SOW.

EXPERIENCE AND QUALIFICATIONS

NSR is an established biological and environmental consulting firm specializing in land and biological resource management, environmental sciences, and regulatory compliance. NSR is a firm with 40+ employees that consults on a range of environmental regulatory issues, primarily relating to the use and management of natural resources. NSR is headquartered in Redding, California, with offices in Mt. Shasta and Sacramento, California. The firm represents private clients and federal, state, and local agencies throughout northern California and the western United States. NSR was established in 1980 and incorporated in 1986.

The NSR staff includes NEPA/CEQA analysts and specialists in wildlife biology, fisheries, aquatic ecology, botany, geomorphology, and wetland science. NSR teams with engineers, hydrologists, economists, archaeologists, and other technical specialists to respond to project needs. NSR identifies the permits and environmental studies that are needed to implement projects; performs the studies, and prepares and submits the appropriate NEPA and CEQA documents; consults with regulatory agencies and acquires the necessary NEPA/CEQA-dependent construction permits; and monitors construction to ensure environmental compliance.

NSR will collaborate with River Partners and GMA to conduct the tasks outlined in the SOW. Our Redding location offers convenient access to the Refuge and USFWS staff in Willows and Red Bluff. This accessibility will make it easy to engage the USFWS staff and other stakeholders in the frequent, informal communication that, in our experience, is required for successful, efficient, and timely completion of restoration projects.

KEY PERSONNEL

Key personnel include staff from NSR, River Partners, and GMA. NSR will provide overall project management and serve as the principal contact with the USFWS. Resumes for NSR Key Personnel are enclosed as **Appendix A**. Additional information on River Partners and GMA staff is provided in **Appendix C** and **D**, respectively. The Project Manager will direct, participate in, and oversee the project tasks; maintain close communication with the USFWS staff; monitor cost; and coordinate activities for the project team.

The Project Manager and point of contact for the USFWS will be Mr. Paul Uncapher of NSR. Mr. Uncapher specializes in watershed and riverine restoration projects, and has extensive experience in preparing environmental documents and restoration plans for projects throughout the Pacific Northwest.

The NSR project team has the proven ability to listen and communicate effectively; the technical expertise to rapidly assess the challenges and direct the appropriate resources to respond accordingly; an understanding of all aspects of this project; and the experience to see it through to a successful conclusion.

Key personnel who will be assigned to this project include:

- Paul Uncapher Project Manager, NSR
- Steven Towers, Ph.D. Wildlife Ecology, NSR
- Keith Marine Aquatic Ecology, NSR
- Wirt Lanning NEPA/Permitting, NSR
- Tom Griggs, Ph.D. Riparian Ecology, River Partners
- Dan Efseaff Restoration Ecology, River Partners
- Graham Matthews Hydrology, GMA
- Jeffery Anderson, P.E. Engineering, GMA

RELEVANT PROJECT EXPERIENCE

Appendix B presents representative projects that describe NSR's participation in restoration and water resource projects. In selecting projects that are relevant, we favored examples that demonstrate:

- Our experience in developing and implementing ecologic restoration plans
- Our experience working in alluvial river environments
- Our experience with evaluating social, physical, and biological elements into effective NEPA documents
- Our understanding of legal and regulatory requirements for projects under federal jurisdiction, including Clean Water Act (CWA) Section 404 permitting and endangered species consultation under Section 7 of the federal Endangered Species Act

Appendix C and **D** provide additional information on River Partners and GMA respectively.

SCOPE OF WORK

This revised SOW modifies the tasks previously submitted based on additional information provided by USFWS staff and clarification of the project requirements. All tasks described in the SOW would require NSR and our subcontractors to review and use the feasibility study completed by the Refuge to some degree.

It is anticipated that the majority of the work required will use existing information available to NSR and the USFWS. In the event that additional information is necessary to satisfy legal or regulatory requirements, we will submit a written request for your consideration and approval.

NSR will provide the USFWS with the following services:

TASK 1. CONDUCT LITERATURE REVIEW AND COLLECT EXISTING TECHNICAL INFORMATION FROM A VARIETY OF SOURCES RELATED TO THE PROJECT SITE.

The objective of the information review is to provide the technical background specific to the Refuge, including the resources, values, and uses of the project site and adjacent areas. This information will be used to conceptualize and develop alternatives, identify any flaws, and refine project objectives. During the course of preparing the feasibility study for the La Barranca Unit, River Partners acquired or has knowledge of pertinent documents that may provide additional information relevant to the project. The following sources may provide updated or new technical information.

- Gage information available from the U.S. Geological Survey (USGS) and the California Department of Water Resources (DWR), including flow and cross section data
- Historic flood data available from Tehama County
- Available topographic data from the U.S. Army Corps of Engineers (ACOE) and other sources
- Historic and current aerial photographs and other imagery
- Sacramento River Atlas
- Previous site-specific studies

NSR will assemble the readily available information in preparation for initiating the NEPA Process (**Task 7**). Information used in the development of the environmental document will be reference in the bibliography of the Environmental Assessment (EA). Prior to initiating the NEPA process, NSR will review this information and notify the USFWS of any data gaps or limitations in the information that could impact preparation of an EA and subsequent permits and consultation processes.

The preparation of the feasibility study resulted in the development of a project GIS that has a number of spatially linked map products. This task will also include assembling all the GIS layers used to prepare the feasibility study, and assess the adequacy of these layers for preparing the environmental and regulatory documents. NSR will prepare a Technical Memorandum that will catalogue and characterize the GIS data available to NSR.. This document will also identify any data gaps and/or technical constraints that may limit the utility of this information for the NEPA document and the design and permitting tasks.

TASK 2. COLLECT AND ANALYZE DATA REQUIRED FOR HYDRAULIC ANALYSIS AND PROJECT ENGINEERING

NSR recognizes that substantial information is available from a variety of sources, including the Army Corp of Engineers (ACOE) and California Department of Water Resources (DWR), and the feasibility study. Limited field topographic field data will be collected to enhance the ability to conduct a site-specific hydraulic analysis and provide project level engineering information. Site surveys will be conducted to verify existing photogrammetric mapping, and to enhance the resolution of the data required for hydraulic analysis or design issues. This information will also supplement the information provided in Appendix II of the feasibility study.

The NSR project team will incorporate the information provided from this task into **Task 3** and **4**, as revised. The team will work closely with the USFWS and other river management agencies to assure that the engineering information provided under this task meets the standards necessary to support the NEPA process and other regulatory requirements.

The NSR project team will collect the data necessary to conduct a hydraulic analysis of sufficient temporal and spatial scales to satisfy the NEPA process and other regulatory requirements, for up to three alternatives. This task will include the appropriate levels of hydraulic analysis (using existing DWR or ACOE models to the greatest extent possible), project construction cost estimates, and permit applications. This approach will provide sufficient information for environmental analysis while conserving funds necessary for final project design and preparation of construction ready plans and specifications. Specific components of this task include:

- Collection and review of existing site information (e.g., ACOE aerial photogrammetry and hydraulic model, DWR cross sections and HEC-RAS hydraulic model, historic aerial photographs, etc)
- Conduct new topographic surveys, cross-section surveys and thalweg profiles, as needed to characterize the existing swales above and through the project site
- Perform hydraulic analyses to develop created scour channel capacity requirements and dimensions
- Development of up to three preliminary designs, grading plans, and hydraulic analyses for alternatives to be evaluated in the subsequent tasks

TASK 3. ANALYZE IMPACTS OF ALTERNATIVES AND RECOMMENDATIONS IDENTIFIED IN THE 2002 FEASIBILITY STUDY, INCLUDING THE NO ACTION AND PROPOSED ACTION ALTERNATIVES

The feasibility study identified a range of thematic alternatives, with a number of refinements. Under this task, the NSR project team will review the alternatives and sub-alternatives.

Task 1 will involve enhancing the information base developed in the feasibility study. In this revision, **Task 3** will be incorporated into **Task 7**, as an element of the NEPA process. The project team, in conjunction with USFWS, will refine the restoration hypothesis that was developed in the feasibility study, and identify objectives that will assist in developing the overall conceptual restoration plan for the western side of the Refuge (**Task 4**). By developing a suite of criteria, a screening process will be employed to refine the alternatives generated in the feasibility study. The evaluation criteria will be selected to address the social, physical, and biological components of the project, and will be useful in any public scoping that may occur. A matrix format can be applied to compare the alternatives using the screening criteria. These may include project objectives, limiting factors (e.g., topography, infrastructure), and legal and regulatory requirements and constraints. This effort will identify flaws in potential alternatives and focus the project team on viable alternatives.

TASK 4. DEVELOP AN OVERALL CONCEPTUAL RESTORATION PLAN FOR THE PROPOSED ACTION

During Phase I of the feasibility study, River Partners and the USFWS conducted four meetings with stakeholders, including local residents and technical experts. At that point, the focus was to communicate the nature of the proposed project and to gather input and concerns. With the publication of the feasibility report, there is an opportunity to expand the dialogue with the interested stakeholders and provide for meaningful participation in the NEPA process.

NSR will participate in one public meeting as part of this task. A minimum of two (2) members of the NSR project team will participate in this meeting. In conjunction with **Task 3 & 7**, we will conduct an open workshop to discuss the overall conceptual restoration plan present the results of this **Task 3**. The primary objective of this workshop will be to refine the conceptual restoration plan prepared by NSR, and to ensure that it reflects the needs and concerns of affected stakeholders and other interested parties. At a minimum, this meeting should be the basis for identifying issues, opportunities and potential mitigation measures that may be incorporated into the NEPA process.

NSR will assimilate the information provided in this meeting, and prepare meeting notes. NSR will also prepare a draft of the Proposed Action for review and comment by the USFWS. This draft, will be used to refine the Purpose and Need statement in preparation for initiating the NEPA process (**Task 7**).

TASK 5. DEVELOP CERTIFIED ENGINEERING CONSTRUCTION PLAN FOR THE RESTORATION PLAN

Upon completion of **Task 7**, the preferred alternative identified in the Finding Of No Significant Impact (FONSI) will serve as the basis for developing construction ready plans and specifications. The plans will be stamped by a registered California Engineer and be suitable for beginning a bid process for construction implementation. Given the nature of the project, which will likely involve mostly straightforward grading, it is not anticipated that these construction plans will be particularly complicated and no structures would be involved in the design. The plans will describe any construction sequencing necessary for implementation. It is presumed that earthwork volumes will be balanced on-site and no off-site hauling will be necessary.

This task is limited to the development of standard engineering drawings and specifications for the project described in the EA/FONSI. Any changes or modifications to the engineering aspects of the project after submission to, and acceptance by, the USFWS are excluded from this quote.

TASK 6. DEVELOP AND SUBMIT PERMITTING DOCUMENTS TO THE APPROPRIATE AGENCY

This task identifies four distinct permit and/or approval processes expected for this project. These include:

- Army Corp of Engineers 404 Permit
- State Department of Fish and Game Streambed Alteration Permit (1600)
- State Water Quality Clearance 402 (Probably 401)

- Section 7 Endangered Species Consultation with USFWS and NMFS

It is our understanding that USFWS has requested preparation of the necessary permitting packages for their signature and submittal. Prior to completing the necessary permit applications, key staff shall meet with the USFWS to discuss opportunities to avoid and minimize identified impacts to biological resources, including wetlands. Based on conversation with USFWS technical staff, NSR understands that a 401 Water Quality Certificate may be required in conjunction with the issuance of a 404 permit. Our proposal includes the effort (excluding CEQA documentation) necessary to prepare a 401 application as per direction issued by the Regional Water Quality Control Board.

404 PERMIT

This task identified the need to prepare and submit the documents necessary to acquire a 404 Permit under the Clean Water Act (CWA). Due to the uncertain nature of the proposed action, and the limited the information on potential Waters of the United States, NSR proposes to follow the steps outline below. This approach has been successful for NSR in similar projects.

- Staff wetland scientists will delineate the boundaries of jurisdictional waters of the U.S., including wetlands, within the project study limits identified in the feasibility study (excludes orchard and oxbow slough features located on the Refuge). The delineation work will follow the three-parameter approach (i.e., soils, hydrology, and vegetation) outlined in the *Corps of Engineers Wetlands Delineation Manual (1987)*. All delineated wetland features will be drawn on topographic base maps prepared for the feasibility study and provided by the USFWS. A delineation report will be prepared for the project site and delivered to the USFWS for subsequent submittal to the ACOE (San Francisco District) for review and verification. This task excludes any post-submittal efforts by NSR.
- In the event that the ACOE exercises jurisdiction on this project, NSR is prepared to offer our expertise to prepare and submit a Pre-construction Notification (PCN), letter (if required) for subsequent submittal to the ACOE for an additional cost. We anticipate that this cost will be nominal, but should be negotiated after a jurisdictional decision has been made by the ACOE.
- It is anticipated that the project would be authorized under a Nationwide Permit #27 (Restoration Projects). Preparation of an Individual Permit application is excluded from this scope of work. We assume mitigation for impacts to special aquatic sites and riparian vegetation will be accomplished via participation in an agency-approved mitigation bank, and project-specific mitigation will not be required. Therefore, detailed (i.e., permit level, project-specific) mitigation planning and design are excluded from this scope of work.

1600 PERMIT

NSR understands that this project is on USFWS lands, and may be exempt from Section 1600 of the California Fish & Game Code. Our communication with California Department of Fish & Game (CDF&G) Region 1 staff suggest that a 1600 authorization may not be required for federal actions on federal lands. With the information available to NSR, we suggest that it is in the interest of the USFWS to defer this effort, pending consultation with CDF&G staff. Efforts to prepare and submit the documents necessary for a 1600 authorization are excluded from this quote.

In the event that USFWS determines that a 1600 authorization is required by CDF&G, NSR will be available to provide the expertise necessary to support this effort for an additional cost.

STATE WATER QUALITY CLEARANCE 402

NSR understands that the USFWS will be required to comply with certain aspects of the CWA under the jurisdiction of the Regional Water Quality Control Board. This could include a 401 Water Quality Certificate, and potentially a 402 Clearance, dependent on the nature and extent of the activities.

In our experience, the 401 Certificate is required by the ACOE in conjunction with issuance of the 404 Permit. A 402 Clearance is typically associated with implementing a construction project, and may be premature at this stage of the project.

NSR will prepare and provide the necessary documents (excluding CEQA) to the USFWS for submittal to the Central Valley Regional Water Quality Control Board requesting a water quality certification or waiver for the project per Section 401 of the Clean Water Act. USFWS will be responsible for paying any fees required by the Central Valley Regional Water Quality Control Board. Preparation of a 402 Clearance or other authorizations required under the CWA are excluded from this quote.

SECTION 7 ENDANGERED SPECIES CONSULTATION

Section 7 consultation with the USFWS and NMFS under the Endangered Species Act (ESA) is anticipated at this time to deal with potential project-related impacts to federally listed fish and wildlife species. Under this task, NSR will incorporate existing information into Task 7 (EA, Fish and Wildlife Resources) in a manner that satisfies the requirements for informal consultation with the USFWS and NOAA Fisheries. We understand Refuge staff will be available to assist NSR in the preparation of the documents necessary to complete informal consultation with the USFWS and NOAA-Fisheries. Any activities associated the Formal Consultation under Section 7 of the ESA is excluded from this proposal.

In the event that formal consultation is required (including preparation of a Biological Assessment), NSR will be available upon request to assist the USFWS at an additional cost.

TASK 7. PREPARE AN EA/PROPOSED FONSI

Under this revised Task, the project team will prepare an EA/ proposed FONSI for the project defined in the ESL. These documents will be prepared in accordance with USFWS NEPA direction. NSR understands that the USFWS will be the federal lead agency under NEPA. No CEQA components are included in this task. The USFWS has provided a sample document (Finding of No Significant Impact/Final Environmental Assessment for the River Vista Unit and Flynn Unit of the Refuge) as a template for conducting this task. This document will be used to facilitate document organization and preparation.

Our proposal assumes that no significant, unmitigable impacts will be identified, and an EA/FONSI will be adequate to document the NEPA process. The EA will specifically focuses on issues of

concern identified in the preceding tasks. No additional technical studies, aside from those listed in **Task 2** and **6**, are included. NEPA approval will be in the form of a FONSI, with mitigation based on the findings in the EA. Preparation of any CEQA documentation and/or a NEPA Environmental Impact Statement (EIS) is excluded from this task.

To efficiently implement the NEPA process, stable project descriptions of the action alternatives must be provided to NSR. As described in the preceding tasks, the development of the Proposed Action and the Purpose and Need Statement and are necessary elements of an EA. At a minimum, the preliminary engineering design drawings will need to show the approximate location of the proposed activities, road approaches, any temporary detour routes, and construction staging areas. The drawings will also need to show the estimated area and quantity of excavation and placement and include an initial description of revegetation plans.

Working in close coordination with the USFWS, NSR will prepare an administrative draft EA. This document will be circulated to the USFWS (and any parties identified by the USFWS) for review and comment. After the USFWS completes their review of the document, comments will be incorporated into the EA, making certain to include any needed or proposed mitigation measures.

NSR will also prepare a Proposed FONSI. We will bind the Proposed FONSI and the EA, and notify the public regarding the availability of the EA per USFWS requirements. We will participate in one public hearing during the public comment period, if requested by USFWS. A minimum of two (2) NSR project team members will be available to participate in this hearing.

After the close of the public comment period, the NSR project team will review the public and agency comments and modify the draft EA as needed to prepare the final EA. We will deliver the Proposed FONSI and final EA to the USFWS. The NEPA process is complete when the USFWS signs the FONSI.

TASK 8. PROVIDE WRITTEN QUARTERLY REPORTS TO THE SERVICE PROJECT OFFICER

NSR will provide written quarterly reports to the Service Project Officer. Additional project updates will be provided at NSR's discretion in conjunction with **Task 9**.

TASK 9. PROJECT MANAGEMENT

This task consists of the activities necessary to manage the fiscal and scheduling elements of the SOW. It will include:

- Attendance by the NSR Project Manager at the pre-work meeting
- Participation by professional, clerical, and accounting staff to monitor the completion and budgetary status of the work
- Oversee work performed by subcontractors
- Attend up to two additional meetings at the request of the USFWS in response to critical issues as they arise

QUOTE

This quote presents NSR's price to provide the services described in this submittal under a firmed fixed price contract with the USFWS. This quote includes a number of specific provision and assumptions (**Appendix F**) that are provided to clarify the level of effort to be provided. NSR understands that this project may evolve, and we offer the opportunity to revise this quote in the event specific tasks require modification prior to award.

Our quote includes labor and direct costs for NSR, River Partner and GMA. **Table 1** provides a cost summary for each of the eight tasks described in the SOW. In addition, we have included a discrete cost for **Task 9** (Project Management). The total cost in **Table 1** is the basis for the quote. Our Quote is \$83,075.00.

The following list identifies the items that are included in our quote as direct cost.

- Vehicle use and operation
- Lodging and meals
- Mileage
- Communication cost
- Purchase and reproduction cost
- GIS work station usage

TABLE 1
TASK SUMMARY TABLE

Task Items	Labor Cost	Direct Cost	Total Cost
Task 1. Conduct literature review and collect existing technical information	\$8,100.00	\$600.00	\$8,700.00
Task 2. Collect and analyze data required for hydraulic analysis and project engineering	\$13,700.00	\$350.00	\$14,050.00
Task 3. Analyze impacts of alternatives and recommendations	See Task 7	See Task 7	See Task 7
Task 4. Develop an overall conceptual restoration plan for the proposed action	\$9,675.00	\$650.00	\$10,325.00
Task 5. Develop certified engineering construction plan for the restoration plan	\$8,050.00	\$300.00	\$8,350.00
Task 6. Develop and submit permitting documents to the appropriate agency	\$7,600.00	\$850.00	\$8,450.00
Task 7. Prepare an EA/proposed FONSI	\$26,325.00	\$1,250.00	\$27,575.00
Task 8. Provide written quarterly reports to the Service Project Officer	See Task 9	See Task 9	See Task 9
Task 9. Project Management	\$5,375.00	\$250.00	\$5,625.00
Subtotal	\$78,825.00	\$4,250.00	
Total Cost			\$83,075.00

SCHEDULE

The following schedule was developed in conjunction with Refuge staff subsequent to the initial proposal. It is subject to revision dependent on contract award date, site conditions and other extenuating circumstances. **Table 2** outlines the timeframe for tasks described in the SOW.

TABLE 2
PROPOSED SCHEDULE FOR LA BARRANCA RESTORATION PROJECT

Task Items	Begin Task	Complete Task
Task 1. Conduct literature review and collect existing technical information	October 2003	November 2003
Task 2. Collect and analyze data required for hydraulic analysis and project engineering	October 2003	December 2003
Task 3. Analyze impacts of alternatives	See Task 7	See Task 7
Task 4. Develop an overall conceptual restoration plan for the proposed action	November 2003	December 2003
Task 5. Develop certified engineering construction plan for the restoration plan	March 2004	May 2004
Task 6. Develop and submit permitting documents to the appropriate agency	March 2004	June 2004
Task 7. Prepare an EA/proposed FONSI	December 2003	April 2004
Task 8. Provide written quarterly reports to the Service Project Officer	Ongoing	Ongoing
Task 9. Project Management	Ongoing	Ongoing

OFFEROR REPRESENTATIONS AND CERTIFICATIONS

NSR has prepared **Appendix G** in response to 52.212-03 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS.

Please don't hesitate to contact me at 530.222.5347 ext. 14 if you have any questions or comments on this revised proposal.

Regards,

North State Resources, Inc.

Steven Towers, Ph.D.
Principal

APPENDIX A

NSR Key Personnel

WIRT H. LANNING

Project Manager / Environmental Analyst

EDUCATION: B.S., Ecology and Systematic Biology, 1993, California State Polytechnic University, San Luis Obispo, California

ADDITIONAL TRAINING:

- U.S. Army Corps of Engineers Wetland Delineation Certification

SYNOPSIS: A diverse background in environmental consulting that encompasses both ecological and environmental planning disciplines. He has over nine years of experience conducting plant and wildlife surveys, wetland delineations, habitat assessments, and monitoring mitigation programs, as well as preparing environmental documents for a wide range of projects throughout Northern California. He also possesses a strong working knowledge of the provisions and guidelines of the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) as they relate to the preparation of environmental documents. In addition, he has a strong understanding of the following reference items: Federal Highway Administration's (FHWA's) Environmental Guidebook and Caltrans Standard Environmental Reference. This understanding, in conjunction with his knowledge of the state and federal Endangered Species Acts and Clean Water Act Section 404 requirements for wetlands, allows him to prepare effective environmental documents that fully satisfy the regulatory requirements of the agencies that issue discretionary permits on transportation projects (i.e., U.S. Fish & Wildlife Service [USFWS], National Marine Fisheries Service [NMFS], U.S. Army Corps of Engineers [ACOE], California Department of Fish & Game [CDFG], and California Regional Water Quality Control Board [CRWQCB]). As a Project Manager and staff environmental analyst at NSR, his responsibilities include project management, subconsultant coordination, technical report preparation, in-field site assessments, agency consultation, public participation, and permitting assistance.

KEITH MARINE,
Senior Aquatic Ecologist / Fishery Scientist

EDUCATION: M.S., Ecology, 1997, University of California, Davis,
B.S., Wildlife and Fisheries Biology, 1983, University of California, Davis
(*Magna Cum Laude*)

Additional Training:

- Instream Flow Incremental Methodology (IFIM) Techniques
- Stream Temperature Modeling
- Scientific Hydroacoustic Methodologies (BioSonics)

Synopsis: Senior Aquatic Ecologist/Fishery Scientist and a Project Manager in NSR's Redding, California office. Specializes in the ecological sciences with emphasis on fisheries science, aquatic and marine biology, and physiological ecology. Over 20 years of professional experience working for universities, state and federal fishery management agencies, and consulting firms. An expert field and laboratory biologist. His work and research experience has been directed at resolving conflicts associated with land and water use and natural resource management. Professional responsibilities include project management, experimental design and methodologies, scientific oversight, directing and performing ecological research and assessment, supervising field staff, data analysis and modeling, report writing, and presentation of results to multi-disciplinary and multi-agency groups. Considerable experience with the aquatic environmental analyses required by NEPA, CEQA, FERC, the Clean Water Act, the California Fish and Game Code, and both state and federal endangered species acts (ESA and CESA), including preparation of biological assessments (BA's) and habitat conservation plans (HCP's), and representing clients in endangered species consultations. Highly knowledgeable of the fishery and water resource issues facing the Pacific northwest and California having previously worked as a fishery management biologist for the US Fish and Wildlife Service in California, Oregon and Washington, and having consulted over the past 13 years with numerous water resource management interests throughout the western United States.

STEVEN TOWERS, PH.D.

Principal / Director of Biology

EDUCATION: Ph.D. / Ecology / 1990 / University of California, Davis
B.S. / Psychobiology / 1983 / University of California, Davis (*Magna Cum Laude*)

ADDITIONAL TRAINING:

- Wetland Delineation Certification
- Habitat Evaluation Procedures (HEP) Certification
- Southwestern Willow Flycatcher Survey Certification
- Fairy/Tadpole Shrimp Identification Certification
- Desert Tortoise Survey Certification

Synopsis: A Principal of North State Resources, Inc. who has served as Director of Biological Studies since 1994. He has more than fifteen years of professional experience as an ecologist practicing in California, the western United States, and Canada. He has prepared Biological Assessments for more than 100 special-status wildlife and plant species and has expertise in the evaluation of project impacts on special-status species, sensitive habitats, wildlife populations, and ecological systems. He has a strong quantitative background, which he applied during a three-year tenure as a statistical and methodological consultant to NASA-Ames. As a practitioner of environmental documentation and compliance with environmental regulations, he is intimately familiar with the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), the state and federal Endangered Species Acts, the Sections 401 and 404 of the Clean Water Act, and the California Fish and Game Code Section 1601-1603.

Paul Uncapher

Program Manager for Aquatic Resources

EDUCATION: B. A. Geological Sciences, 1979, C.S.U. Chico, Chico, California

Additional Training:

- Instream Flow Incremental Methodology (IFIM)
- Stream Survey and Habitat Assessment
- Meeting Management and Facilitation

SYNOPSIS: A Water Resources Program Manager with experience in geomorphology, aquatic ecology, engineering and environmental planning disciplines. He has more than twenty years of experience as a natural resource specialist, with an emphasis on water resources and relationships between physical process and biological resources. He has experience in preparing watershed assessments, basin restoration plans and monitoring programs in a variety of settings throughout the western United States. He has participated in a number of Federal resource management plans including the Northwest Forest Plan and Interior Columbia Basin Ecosystem Management Plan as an author, reviewer and in the development of a Long-Term Monitoring strategy. As a member of the Forest Service Hydropower Assistance Team, he was responsible for developing or modifying geomorphic analysis techniques to address aquatic and riparian issues associated with hydropower developments on federal lands. In addition, he served as the technical expert representing the U.S. Forest Service in a number of FERC proceedings. As a practitioner of environmental documentation and compliance with environmental regulations, he is intimately familiar with the National Environmental Policy Act (NEPA), the California Environmental Quality Act (CEQA), the state and federal Endangered Species Acts, the Sections 401 and 404 of the Clean Water Act, and the California Fish and Game Code Section 1601-1603.

APPENDIX B

NSR Representative Projects

APPENDIX B

REPRESENTATIVE PROJECTS

Project Title: **Saeltzer Dam Fish Passage Improvement Project NEPA/CEQA Compliance**

Client: US Bureau of Reclamation, Mid-Pacific Region

Description: This project eliminated a major migration impediment (Saeltzer Dam) and restored more than 10 miles of anadromous salmonid spawning and rearing habitat in Clear Creek (Shasta County) while maintaining water supply to stakeholders. As the prime consultant, NSR consulted with NMFS, CDFG, and other cooperating and responsible agencies, prepared the NEPA/CEQA document (joint EA/IS), and acquired the NEPA/CEQA-dependent construction authorizations.

Work on the NEPA/CEQA document was completed by NSR on a very short schedule, and the Secretary of the Interior presented NSR a certificate of appreciation for the firm's work.

Project Title: **Trinity Bridges NEPA/CEQA Compliance**

Client: US Bureau of Reclamation, Mid-Pacific Region

Description: This project consists of four bridge replacements on the Trinity River, the need for which results from restoration of the mainstem Trinity River fisheries. NSR worked closely with Reclamation's Denver Service Center to prepare the descriptions of the no-action and action alternatives evaluated in the NEPA/CEQA document. NSR consulted with NOAA Fisheries, CDFG, and other cooperating and responsible agencies, and prepared the NEPA/CEQA document (joint EA/EIR).

Project Title: **ACID Irrigation District Fish Passage and Screen Improvement Project NEPA/CEQA Compliance**

Client: CH2MHILL for the Anderson-Cottonwood Irrigation District

Description: This project consisted of improving upstream and downstream passage of anadromous salmonids, including federally- and state-listed winter run Chinook, by replacing undersized fish ladders on a diversion dam located on the Sacramento River. NSR prepared the biological assessment supporting ESA consultation for the winter-run and late fall-run Chinook salmon and steelhead trout. NSR prepared the fisheries, vegetation, and wildlife sections of the NEPA/CEQA document (joint EA/IS). Following certification of the NEPA/CEQA document by the federal and state lead agencies, NSR acquired construction authorizations from five cooperating and responsible agencies.

Project Title: **Butte Creek Ecosystem Restoration NEPA/CEQA Compliance**

Client: Western Canal Water District and CH2MHILL

Description: This program included removing four diversion dams on Butte Creek, and constructing a number of system improvements to enhance fish passage and augment flows, while maintaining agricultural water deliveries and wildlife

habitat. Under contracts with the District and CH2MHILL, North State Resources conducted all elements of the biological and wetlands evaluations for the projects, including preparation of the wetlands and biological resources sections of the NEPA/CEQA documents (EA/IS).

- Project Title: **Lower Clear Creek Restoration NEPA/CEQA Compliance**
Client: US Bureau of Reclamation, Mid-Pacific Region
Description: This project, which was specifically referenced in the CVPIA, restored habitat conditions for native salmonids, created off-channel wetlands, and restored riparian vegetation and key fluvial processes in portions of Clear Creek (Shasta County) that had been disturbed by gold mining and gravel extraction. As the prime consultant, NSR was responsible for project planning, NEPA/CEQA compliance (joint EA/IS), and project permitting.
- Project Title: **Environmental Services Supporting the Shasta Lake Enlargement Project**
Client: US Bureau of Reclamation/Shasta Area Office
Description: In close consultation with the cooperating agencies, NSR is performing various biological investigations relating to the proposed elevation of Shasta Dam and enlargement of Shasta Lake.

APPENDIX C

River Partners Corporate Resume



539 Flume Street
Chico, California 95928
Phone: (530) 894-5401 Fax: (530) 894-2970
info@riverpartners.org

CORPORATE RESUME

River Partners is a California non-profit corporation founded in 1998 under current Federal 501 (c) (3) registration dedicated to the mission of creating wildlife habitat for the benefit of people and the environment. In the last 5 years River Partners has secured \$11,000,000 in public and private funding, built a staff of 32 full time employees and developed the organizational capacity to carry out this mission. We are in the process of restoring over 2000 acres on 19 separate projects along the Sacramento, Feather, Stanislaus, Tuolumne and San Joaquin Rivers. We recently acquired three riverside properties. River Partner's science team has completed fish entrapment studies, Valley Elderberry Long-horn Beetle surveys, and pre-restoration plans for several agencies.

River Partners has the experience, expertise and resources to solve problems and develop meaningful solutions. A partial list of our projects follows:

RIPARIAN RESTORATION

US Fish and Wildlife Service, San Joaquin River National Wildlife Refuge 800-acres
Wildlife Conservation Board, Pine Creek Unit 231-acres
US Fish and Wildlife Service, Llano Seco 209-acres
California Department of Fish and Game, Jacinto Unit 37 acres
California State University Chico, Cottonwood Unit 15 acres

PLANNING AND CONSULTING

California Department of Parks and Recreation, Peterson Restoration Plan
Central Valley Project Improvement Act, La Barranta Salmon Entrapment Study
California Waterfowl Association, Mohler Unit Restoration Plan
Glenn Colusa Irrigation District, Mitigation Plans Phase I and II
San Joaquin River National Wildlife Refuge, Pre-Restoration Plan
US Fish and Wildlife Service, Martin Family Cemetery Report

MITIGATION

Glenn Colusa Irrigation District, 150-elderberry transplant contract
Army Corps of Engineers, Murphy Slough weed control project
McAmis Construction Company, elderberry transplant contract

BRIEF RESUMES

John Carlon – President

Mr. Carlon has extensive knowledge in agriculture and restoration. He obtained a B.S. in Agronomy and Horticulture from C.S.U. Chico and a M.S. in International Agricultural Development from C.S.U. San Luis Obispo. Mr. Carlon has been engaged in land protection and riparian restoration on the Sacramento River for the last 10 years. He has had direct involvement in the acquisition and restoration of over 2000 acres along the Sacramento River.

Bernard Flynn – Vice President

Mr. Flynn has 18 years of experience as a farm manager. He obtained a B.A. from Harvard and a M.A. from C.S.U. Chico. Mr. Flynn has developed several innovative restoration practices including a software program that facilitates field planting and monitoring of species survival.

Tom Griggs – Senior Restoration Ecologist

Dr. Griggs has 22 years of experience in riparian restoration. He developed the original riparian restoration efforts on the Sacramento River and has been published extensively in professional journals on riparian restoration. He obtained a B.S. in Biology from California Polytechnic University, Pomona, a M.S. in Botany from C.S.U. Chico and a Ph.D. in ecology from U.C. Davis.

Dan Efseaff – Restoration Ecologist

Mr. Efseaff received a B.S. in Biology from U.C. Davis and a M.S. in Biology from C.S.U. Chico, where he researched the interaction of riparian tree roots with soil types. Mr. Efseaff has 12 years of broad experience working for natural resource agencies, consulting firms, and research institutions. He has developed sampling programs, prepared ecological risk assessments, conducted botanical surveys and constructed plant designs based on soil types.

Mary Ellen Morris – Controller

Ms. Morris has 13 years of practical experience in accounting work for financial service, agribusiness and healthcare companies. She obtained her B.S. in Business Administration from Ohio State University and her Masters in Business Administration from the University of Laverne.

Helen Swagerty – Restoration Biologist

Mrs. Swagerty received a B.S. in Environmental Science from Oregon State University, where her emphasis was in Environmental Geosciences. Mrs. Swagerty has 3 years of experience in riparian restoration. She has collected native plant materials for propagation, developed monitoring program protocols, and facilitated activities related to restoration for elementary students.

Paul Kirk– Biological Technician

Mr. Kirk has 16 years of practical experience in teaching. He obtained a B.A. in Biology and Chemistry from California State University, Chico and his Masters in Botany is pending with completion of his thesis. Mr. Kirk has a teaching credential in Bilingual Multiple Subjects and Life Science. He has taught lecture and laboratory for Introductory Plant Science in the Agriculture and Environmental Science Department at Butte Junior College and conducted floristic surveys in Shasta, Trinity, Butte and Yolo Counties.

APPENDIX D

GMA Statement of Qualifications

GMA PDF file previously submitted 8-12-03

APPENDIX E

Proposed EA Outline

PRELIMINARY OUTLINE FOR ENVIRONMENTAL ASSESSMENT
ON PROPOSED RESTORATION OF
LA BARRANCA UNIT OF THE
SACRAMENTO RIVER NATIONAL WILDLIFE REFUGE.

The following is a preliminary outline for an Environmental Assessment prepared to support a Finding of No Significant Impact. If necessary, this outline would be modified to fit the specific requirements of the La Barranca Unit restoration project.

1. Purpose of and Need for the Proposed Action
 - 1.1 Project Background
 - 1.2 Purpose of the Proposed Action
 - 1.3 Need for the Proposed Action
2. Proposed Action and Alternatives
 - 2.1 Introduction (includes description of alternatives development)
 - 2.2 Proposed Action
 - 2.2.1 Project Area
 - 2.2.2 Specific Restoration Activities
 - 2.2.3 Habitat Types to Be Restored
 - 2.3 Alternatives to the Proposed Action
 - 2.3.1 Alternative 1: No Action
 - 2.3.2 Alternative 2
 - 2.3.3 Alternative 3
 - 2.4 Alternatives Considered but Eliminated from Detailed Study
3. Affected Environment, Environmental Consequences, and Mitigation Measures
 - 3.1 Introduction
 - 3.2 Physical Environment
 - 3.3 Biological Environment
 - 3.4 Social and Economic Environment
4. Coordination, Consultation, and Compliance
 - 4.1 Agency Coordination
 - 4.2 Environmental Regulations and Consultation
 - 4.2.1 National Environmental Policy Act
 - 4.2.2 Endangered Species Act
 - 4.3.3 National Historic Preservation Act
 - 4.3.4 Others Laws, Regulations, and Executive Orders
 - 4.3 Distribution List
 - 4.4 List of Preparers
 - 4.5 References

Appendices

NOTE: This outline will be modified to incorporate Sample Document provided to NSR

APPENDIX F

Interpretations, Qualifications, and Assumptions

Appendix F

Interpretations, Qualifications, and Assumptions Statement of Work. For EA & Permitting For the La Barranca Unit of the Sacramento River National Wildlife Refuge

INTRODUCTION

The price quoted by North State Resources, Inc., for the referenced project is based on the following interpretations, qualifications, and assumptions. Some or all of these interpretations, qualifications, and assumptions may be capable of being modified in discussions with the US Fish and Wildlife Service.

INTERPRETATIONS, QUALIFICATIONS, AND ASSUMPTIONS

Prices quoted for Task 1 assume all sources of information are available to NSR from public institutions and agencies.

GIS information assembled for Task 1 shall be provided to NSR by USFWS within 10 working days from project kickoff meeting.

Quoted prices do not include providing and preparing meeting locations for public meetings described in **Task 4** and **7**. Cost of providing space, and ancillary features and facilities (i.e., chairs, services, sound systems) are not included in this cost. USFWS will provide staff necessary to record the outcome of public meetings.

Quoted prices assume meetings will be limited to a pre-work conference, tour of reference sites, and not more than 1 meeting (conference call per month) for NSR project manager and 2 key personnel in accordance with work schedule defined by NSR. NSR meeting attendees to be determined by NSR.

NSR will provide up to 32 hours of field time for a wetland scientist to perform wetland delineations as described in Task 6. Additional effort may be provided at a negotiated rate agreeable to NSR and the USFWS.

No protocol level biological surveys will be conducted in support of the NEPA and permitting tasks. In the event that protocol surveys are required, NSR will inform the USFWS and recommend appropriate measures to satisfy these requirements.

NSR will have legal access, (including keys as necessary) to the project in accordance with requirements outlined in the Statement of Work.

Government to provide current USFWS NEPA direction for preparation of Environmental Assessments and FONSI's, at pre-work conference.

Contractor will apply professional judgment in performing all elements of the work, including but not limited to responding to USFWS comments on draft deliverables.

USFWS will provide all cultural resource information necessary to support the preparation of an EA and comply with Section 106 requirements in conformance with the proposed schedule. Native American consultation is excluded from the scope of services to be provided.

This quote does not include any formal consultations that may be required prior to issuance of permits or other discretionary approvals.

This quote does not include preparation of a document intended to satisfy California Environmental Quality Act requirements.

This quote does not include any activities that may be required after submission of the permit applications described in Task 6.

This quote includes preparation of four (4) hardbound, one (1) unbound, camera ready, and three (3) electronic copies of any submittal described in this submittal. Additional copies may be provided at NSR's discretion.

APPENDIX G

OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS

(a) Definitions. As used in this provision:

"Emerging small business" means a small business concern whose size is no greater than 50 percent of the numerical size standard for the NAICS code for the business.

"Forced or indentured child labor" means all work or service-

(1) Exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer voluntary service;

(2) Performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

"Service-disabled veteran-owned small business concern"--

(1) Means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran-owned business, by the veteran or the veteran's spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(2).

"Small business concern" means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation, and qualified as a small business under the criteria in 13 CFR part 121 and size standards in this solicitation.

"Veteran-owned small business concern" means a small business concern--

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned business concern" means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, not less than 51 percent of the stock is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

"Women-owned small business concern" means a small business concern--

(1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

(b) Taxpayer Identification Number (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (Not applicable if the offeror is required to provide this information to a Federal Acquisition Regulation (FAR) database to be eligible for award.)

(1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements and reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).

(2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government. If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with the offeror's TIN.

(3) Taxpayer Identification Number (TIN).

☒ TIN: 68-0119315.

☐ TIN has been applied for.

☐ TIN is not required because:

☐ Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of its business in the United States.

and does not have an office or place of business or a fiscal paying agent in the United States;
☐ Offeror is an agency or instrumentality of a foreign government;
☐ Offeror is an agency or instrumentality of the Federal Government.

(4) Type of organization.

☐ Sole proprietorship;
☐ Partnership;
☒ Corporate entity (not tax-exempt);
☐ Corporate entity (tax-exempt);
☐ Government entity (Federal, State, or local);
☐ Foreign government;
☐ International organization per 26 CFR 1.6049-4;
☐ Other _____.

(5) Common parent.

☒ Offeror is not owned or controlled by a common parent;
☐ Name and TIN of common parent:
Name _____.
TIN _____.

(c) Offerors must complete the following representations when the resulting contract will be performed in the United States or its outlying areas.

(1) Small business concern. The offeror represents as part of its offer that it ☒ is, ☐ is not a small business concern.

(2) Veteran-owned small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that it ☐ is, ☒ is not a veteran-owned small business concern.

(3) Service-disabled veteran-owned small business concern. [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that it ☐ is, ☒ is not a service-disabled veteran-owned small business concern.

(4) Small disadvantaged business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that it ☒ is, ☐ is not a small disadvantaged business concern as defined in 13 CFR 124.1002.

(5) Women-owned small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that it ☒ is, ☐ is not a women-owned small business concern.

Note: Complete paragraphs (c)(6) and (c)(7) only if this solicitation is expected to exceed the simplified acquisition threshold.

(6) Women-owned business concern (other than small business concern). [Complete only if the offeror is a women-owned business concern and represented itself as such in paragraph (c)(1) of this provision.] The offeror represents that it ☐ is a women-owned business concern.

(7) Tie bid priority for labor surplus area concerns. If this is an invitation for bid, small business offerors may identify the labor surplus areas in manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price:

(8) Small Business Size for the Small Business Competitiveness Demonstration Program and for the Targeted Industry Categories under the Small Business Competitiveness Demonstration Program. [Complete only if the offeror has represented itself to be a small business concern under the size standards for this solicitation.]

(i) [Complete only for solicitations indicated in an addendum as being set-aside for emerging small businesses in one of the four designated industry categories.] The offeror represents as part of its offer that it ☐ is, ☐ is not an emerging small business.

(ii) [Complete only for solicitations indicated in an addendum as being for one of the targeted industry categories (TICs) or four designated industry categories.] The offeror represents as part of its offer that it follows:

(A) Offeror's number of employees for the past 12 months (check the Employees column if size standard stated in the solicitation is expressed in terms of number of employees).

(B) Offeror's average annual gross revenue for the last 3 fiscal years (check the Average Annual Gross Number of Revenues column if size standard stated in terms of annual receipts).

(Check one of the following):

Average Annual Gross
Number of Employees

☐ 50 or fewer
☐ 51--100
☐ 101--250
☐ 251--500
☐ 501--750
☐ 751--1,000
☐ Over 1,000

Revenues

☐ \$1 million or less
☐ \$1,000,001--\$2 million
☐ \$2,000,001--\$3.5 million
☐ \$3,500,001--\$5 million
☐ \$5,000,001--\$10 million
☐ \$10,000,001--\$17 million
☐ Over \$17 million

(9) [Complete only if the solicitation contains the clause at FAR 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Participation Program--Disadvantaged Status and Reporting, and the offeror desires a benefit based on its disadvantaged status.]

(i) General. The offeror represents that either--

(A) It ☐ is, ☒ is not certified by the Small Business Administration as a small disadvantaged business concern and identified, on the date of this representation, in the database maintained by the Small Business Administration (PRO-Net), and that no material change in disadvantaged status has occurred since its certification, and, where the concern is owned by one or more individuals claiming disadvantaged status, the net worth of each individual based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); or

(B) It ☐ has, ☐ has not submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership has occurred since the application was submitted.

(ii) ☐ Joint Ventures under the Price Evaluation Adjustment for Small Disadvantaged Business Concerns. The offeror represents, as part of its offer, that the joint venture complies with the requirements in 13 CFR 124.1002(f) and that the representation in paragraph (c)(9)(i) of this provision is accurate for the small disadvantaged business concern participating in the joint venture. [The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: _____.]

(10) HUBZone small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents that--

(i) It ☐ is, ☒ is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office, or HUBZone employee percentage has occurred since the date of listing in accordance with 13 CFR part 126; and

(ii) It ☐ is, ☐ is not a joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (c)(10)(i) of this provision is accurate for the small business concern or concerns that are participating in the joint venture. [The offeror shall enter the name or names of the HUBZone small business concern or concerns participating in the joint venture: _____.] Each HUBZone small business concern participating in the joint venture shall submit a separate representation.

(d) Representations required to implement provisions of Executive Order 11246--(1) Previous contracts and compliance. The offeror represents that--

(i) It ☒ has, ☐ has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation; and

(ii) It ☒ has, ☐ has not filed all required compliance reports.

(2) Affirmative Action Compliance. The offeror represents that--

(i) It ☐ has developed and has on file, ☐ has not developed and does not have on file, at each establishment, affirmative action programs required by Executive Order 11246 and the Equal Employment Opportunity Commission (41 CFR parts 60-1 and 60-2), or

(ii) It ☒ has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(e) Certification Regarding Payments to Influence Federal Transactions (31 U.S.C. 1352). (Applies only if the contract is expected to exceed \$100,000.) The offeror certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on his or her behalf in connection with the resultant contract.

(f) Buy American Act Certificate. (Applies only if the clause at Federal Acquisition Regulation (FAR) 52.225-1, Buy American Act--Supplies, is included in the solicitation.)

(1) The offeror certifies that each end product, except those listed in paragraph (f)(2) of this provision, is a domestic end product and that the offeror certifies that each end product of unknown origin to have been mined, produced, or manufactured outside the United States. The offeror shall list as foreign end products those end products that do not qualify as domestic end products. The terms "component", "domestic end product", "end product", "foreign end product", and "United States" are defined in the clause of this solicitation entitled "Buy American Act--Supplies."

(2) Foreign End Products:

Line Item No.	Country of Origin
---------------	-------------------

_____	_____
_____	_____
_____	_____

[List as necessary]

(3) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25.

(g)(1) Buy American Act--North American Free Trade Agreement--Israeli Trade Act Certificate. (Applies only if the clause at FAR 52.225-3, Buy American Act--Israeli Trade Act, is included in this solicitation.)

(i) The offeror certifies that each end product, except those listed in paragraph (g)(1)(ii) or (g)(1)(iii) of this provision, is a domestic end product and that the offeror certifies that each end product of unknown origin to have been mined, produced, or manufactured outside the United States. The terms "component", "domestic end product", and "United States" are defined in the clause of this solicitation entitled "Buy American Act--North American Free Trade Agreement--Israeli Trade Act".

(ii) The offeror certifies that the following supplies are NAFTA country end products or Israeli end products as defined in the clause of this solicitation entitled "Buy American Act--North American Free Trade Agreement--Israeli Trade Act":

NAFTA Country or Israeli End Products:

Line Item No.	Country of Origin
---------------	-------------------

_____	_____
_____	_____
_____	_____

[List as necessary]

(iii) The offeror shall list those supplies that are foreign end products (other than those listed in paragraph (g)(1)(ii) of this provision) as defined in the clause of this solicitation entitled "Buy American Act--North American Free Trade Agreement--Israeli Trade Act." The offeror shall list as other foreign end products those end products that do not qualify as domestic end products.

Other Foreign End Products:

Line Item No.	Country of Origin
---------------	-------------------

_____	_____
_____	_____
_____	_____

[List as necessary]

(iv) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25.

(2) Buy American Act--North American Free Trade Agreements--Israeli Trade Act Certificate, Alternate I (May 2002). If Alternate I to the clause at FAR 52.225-3, Buy American Act--Israeli Trade Act, is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The offeror certifies that the following supplies are Canadian end products as defined in the clause of this solicitation entitled "Buy American Act--Israeli Trade Act":

Canadian End Products:

Line Item No.

[List as necessary]

(3) Buy American Act--North American Free Trade Agreements--Israeli Trade Act Certificate, Alternate II (May 2002). If Alternate II to the clause is used in the solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The offeror certifies that the following supplies are Canadian end products or Israeli end products as defined in the clause of this solicitation entitled "Trade Agreements--Israeli Trade Act":

Canadian or Israeli End Products:

Line Item No.	Country of Origin
---------------	-------------------

_____	_____
-------	-------

_____	_____
-------	-------

[List as necessary]

(4) Trade Agreements Certificate. (Applies only if the clause at FAR 52.225-5, Trade Agreements, is included in this solicitation.)

(i) The offeror certifies that each end product, except those listed in paragraph (g)(4)(ii) of this provision, is a U.S.-made, designated country, Caribbean Basin country end product, as defined in the clause of this solicitation entitled "Trade Agreements."

(ii) The offeror shall list as other end products those end products that are not U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products.

Other End Products:

Line Item No	Country of Origin
--------------	-------------------

_____	_____
-------	-------

_____	_____
-------	-------

[List as necessary]

(iii) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25. For line items subject to the Trade Agreements Certificate, the Government will evaluate offers of U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products without regard to the restrictions on award of such products. The Government will consider for award only offers of U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products unless the Contracting Officer determines that no offers for such products or that the offers for such products are insufficient to fulfill the requirements of the solicitation.

(h) Certification Regarding Debarment, Suspension or Ineligibility for Award (Executive Order 12549). (Applies only if the contract value is equal to or greater than the threshold.) The offeror certifies, to the best of its knowledge and belief, that the offeror and/or any of its principals--

(1) ☐ Are, ☒ are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(2) ☐ Have, ☒ have not, within the three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for fraud in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal, state or local anti-trust laws; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or commission of a crime relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or commission of a crime relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or commission of a crime relating to the submission of offers; and

(3) ☐ Are, ☒ are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of the offenses set forth in the preceding paragraph (2).

(i) Certification Regarding Knowledge of Child Labor for Listed End Products (Executive Order 13126). [The Contracting Officer must list in paragraph (i)(1) of this provision the end products acquired under this solicitation that are included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor.]

(1) Listed end products.

Listed End Product	Listed Countries of Origin
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_____	_____
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_____	_____
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(2) Certification. [If the Contracting Officer has identified end products and countries of origin in paragraph (i)(1) of this provision, then the offeror shall certify in paragraph (i)(2)(ii) by checking the appropriate block.]

☐ (i) The offeror will not supply any end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the country of origin of the end product.

☐ (ii) The offeror may supply an end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the country of origin of the end product. The offeror certifies that it has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture the end product.

under this contract. On the basis of those efforts, the offeror certifies that it is not aware of any such use of child labor.